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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,909	10/21/2003	Kenichirou Yoshida	03280086US	3750

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EXAMINER

PAYER, HWEI SIU CHOU

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/688,909

Applicant(s)

YOSHIDA ET AL.

Examiner

Hwei-Siu C. Payer

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 3,4,6,7,9,10 and 32-38 is/are rejected.
- 7) ☒ Claim(s) 1,2,5,8 and 11-31 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Detailed Action

Claims Objection

Claims 1-38 are objected to because of the following informalities:

(1) In claim 1, line 2, "a cutting object" is misleading. The phrase should read --an object to be cut-- or simply --an object--. Line 6 of claim 1 should be amended accordingly.

(2) In claim 4, line 10, "the flat portion" should read --the flat section--.

(3) In claim 15, line 3, "front side" should read --a front side--.

(4) In claim 16 (at line 5) and claim 18 (at lines 3-4), "the fan side" should read --the fan-side section-- (note line 11 of claim 13).

(5) In claim 16 (at lines 6-7) and claim 18 (at lines 2-3), "the saw-blade-housing-section side" should read --the saw-blade-housing-section-side section-- (note lines 9-10 of claim 13).

(6) In claim 20, line 3, "rear side" should read --a rear side--.

(7) In claim 24, lines 3-4, "the saw cover housing section" should read --the saw blade housing section--.

(8) In claims 27-28, line 1, "machine" should read --device--.

(9) In claim 31, lines 17, 18 and 22, "third groove" should read --second groove--.

Appropriate correction is required.

Claims Rejection - 35 U.S.C. 112, second paragraph

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3, 4, 6, 7, 9, 10 and 32-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) In claim 3, line 2, "the partition wall" and "the saw cover" have no antecedent basis.

(2) In claims 6, 7, 9 and 10, "the saw cover" lacks clear antecedent basis.

(3) In claims 32-38 "the air-blow regulating mechanism" has no antecedent basis.

Indication of Allowable Subject Matter

1. Claims 1, 2, 5, 8 and 11-31 would be allowable if amended to overcome the objections as set forth.
2. Claims 3, 4, 6, 7, 9, 10 and 32-38 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
3. Claims 1-38 contain allowable subject matter because none of the prior art of record taken alone or in combination thereof shows or fairly suggests the claimed portable electric cutting device in which a bottom surface of a saw base is formed with a

first groove that extends forward in a saw blade cutting direction from a front end of an opening in the saw base to a front end of the saw base.

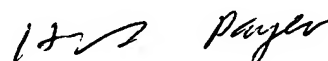
Prior Art Citations

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Elson, Olstowski, Iwasaki et al., Ohkouchi et al., Mori et al., Itoh, Hegoas et al., Stielper, Chang, Onose et al., Wu and Fukuoka are cited as art of interest.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for official communications and 571-273-4511 for proposed amendments.



Hwei-Siu Payer
Primary Examiner